



City of Rockville

M E M O R A N D U M

July 8, 2004

TO: City of Rockville Planning Commission

FROM: Deane Mellander, Planner III

VIA: Bob Spalding, AICP, Chief of Planning

SUBJECT: Proposed Zoning Text Amendment TXT2004-00212; To modify the procedures for administering optional method development procedures; Mayor and Council, applicant.

BACKGROUND

The Mayor and Council had directed staff to prepare a text amendment to modify the procedures under which development using the optional method may be administered. The Mayor and Council want to be able to review the initial Preliminary Development Plan and have the Planning Commission be responsible for reviewing the subsequent use permit process.

ANALYSIS

There are several different optional method procedures set forth in the zoning ordinance and they are processed in different ways. Developments in the O-1 office zone and in the Rockville Pike Corridor, optional method applications are approved through the use permit process by the Planning Commission. In the I-3 Zone, the optional method is available through approval of a Preliminary Development Plan (PDP) by the Mayor and Council with recommendation from the Planning Commission. In the case of projects in the Town Center Performance District, optional method applications are considered through approval of a PDP and Use Permits by the Planning Commission, unless the site is on land owned by the City or City-owned land that has been sold to the applicant. In that case, the Planning Commission approved the PDP but the Mayor and Council approves the use permits with a recommendation from the Planning Commission.

The Planning Commission or the Chief of Planning are responsible for administering use permits for other projects.

The proposed text amendment is intended to revise these various optional method procedures into a consistent pattern for ease and clarity of administration. In addition, by having the Mayor and Council act on the PDP, they will be making the initial policy consideration as to whether the application is consistent with master plan and other City policies. The Planning Commission acts in an advisory capacity with regard to the initial PDP consideration, and will administer the details of the development proposal through the use permit process. This will be more consistent with the comprehensive planned development process (CPD) process.

The following is a summary of the proposed changes to each of the Articles to be amended:

1. Article V, "PERMITS"

Sec. 25-191: Revise staff terminology

Sec. 25-192: Revise to delete references to Mayor and Council approving use permits for land owned by the City or purchased by the applicant from the City. Also revise staff terminology.

Sec. 25-193: Revise staff terminology. Delete references to approval by Mayor and Council.

2. Article VII, "ZONING DISTRICT REGULATIONS"

Sec. 25-326: Requires submittal of a Preliminary Development Plan (PDP) rather than a use permit application.

Sec. 25-327: Revised to require submittal of a PDP for consideration by the Mayor and Council. The procedure is the same as is currently required in the I-3 Zone optional method.

3. Article XII, "SPECIAL DEVELOPMENT PROCEDURES"

Sec. 25-667: Add clarifying terminology for Mayor and Council; add successor to the Standard Traffic Methodology.

Sec. 25-669: Add clarifying terminology for Mayor and Council.

Sec. 25-670: Add clarifying terminology for Mayor and Council.

4. Article XIII, "TOWN CENTER PLANNING AREA"

Sec. 25-682: Revise to change "Planning Commission" to "Mayor and Council" as the approving body; add successor to the Standard Traffic Methodology.

Sec. 25-683: Revise to change "Planning Commission" to "Mayor and Council" as the approving body.

Sec. 25-693: Separate approvals between Mayor and Council and Planning Commission for PDP actions vs. use permit actions.

5. Article XIV, "ROCKVILLE PIKE CORRIDOR AREA"

Sec. 25-710.27: Requires submission of a PDP for approval by the Mayor and Council vs. approval of use permit by the Planning Commission; reduces the number of trips generated that requires a traffic impact study from 100 to 30, as per the pending "Comprehensive Transportation Review" process; adds successor to the Standard Traffic Methodology.

Sec. 25-710.30. Adds this new section requiring approval of a PDP by the Mayor and Council.

Sec. 25-710.31. Adds a provision that requires the use permit to be consistent with the approved PDP.

Sec. 25-710.32: This section deleted since it is replaced by the new language in new Sec. 25-710.30 (b).

The attached proposed text amendment, dated July 6, 2004, reflects that latest draft of the proposed amendment. It is different from the language originally introduced in that revisions to the use permit process have been added, the new section in the Rockville Pike Corridor section has been underlined, and the section with duplicate language is shown to be deleted.

RECOMMENDATION

The staff finds that the proposed text amendment will revise and provide consistency in the processing of optional method applications. Staff therefore recommends approval of the revised text amendment language, dated July 6, 2004.

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Attachments: A. Proposed Text Amendment